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*Attorneys for Interest Party
Nevada Department of Corrections*

UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

TERRANCE DAVIS,

Plaintiff,

v.

UNDERWOOD, *et al.*,

Defendants.

Case No. 3:23-cv-00003-ART-CLB

**ORDER GRANTING MOTION
TO CONTINUE EARLY
MEDIATION CONFERENCE TO
AUGUST 25, 2023**

Interested Party Nevada Department of Corrections, by and through counsel, Aaron D. Ford, Nevada Attorney General, and Victoria C. Corey, Deputy Attorney General, of the State of Nevada, Office of the Attorney General, hereby submit their motion to continue the Early Mediation Conference to August 25, 2023 and respectfully request that the Court continue the Early Mediation Conference (EMC). Defendants' request is supported by good cause.

District courts have the inherent power to control their dockets. *Thompson v. Hous. Auth. of City of Los Angeles*, 782 F.2d 829, 831 (9th Cir. 1986). Good cause to continue the Early Mediation Conference exists. This is one of the four (4) cases that was scheduled for a quadruple EMC for July 11, 2023. ECF No. 9. Plaintiff has a pro bono appointed counsel in one of his other cases, *Davis v. Cooke et al.*, USDC 3:22-cv-00473-ART-CLB, and when counsel for both Plaintiff and Interested Party spoke during their meet and confer on June 21, 2023, as required by the Order Setting Inmate Early Mediation Conference (*see* ECF

No. 25 in 3:22-cv-00473-ART-CLB), counsel for Plaintiff was unaware that Plaintiff has three (3) other cases¹ and the EMC scheduled for July 11, 2023 is a quadruple EMC for purposes of a global settlement. Plaintiff's counsel expressed that she would look into the possibility of representing Plaintiff in this case, as well as the other two cases for purposes of the EMC only. Interested Party's counsel is more than happy to continue the quadruple EMC, with the idea that a global settlement may be reached.

Plaintiff's Counsel in 3:22-cv-00473-ART-CLB, and Counsel for Interest Party's have emailed Ms. Ashlyn Bye to inquire on a potential new (and earliest) date for a global EMC, and parties have agreed to August 25, 2023 at 8:30am. Based on the foregoing, the Parties submit that good cause exists to grant the requested continuance and that the EMC be continued to **Friday, August 25, 2023 at 8:30am, or the Court's earliest available date.**

DATED this 22nd day of June, 2023.

AARON D. FORD
Attorney General

By: /s/ Victoria C. Corey
VICTORIA C. COREY (Bar No. 16364C)
Deputy Attorney General

Attorneys for Interested Party
Nevada Department of Corrections

IT IS SO ORDERED.

DATED: June 23, 2023



UNITED STATES MAGISTRATE JUDGE

¹ Mr. Davis has a total of four pending cases: *Davis v. C/O Little et al.*, USDC 3:23-cv-00033-RCJ-CLB; *Davis v. Underwood et al.*, USDC 3:23-cv-00003-ART-CLB; *Davis v. Gonzalaz et al.*, USDC 3:22-cv-00188-RCJ-CLB; and *Davis v. Cooke et al.*, USDC 3:22-cv-00473-ART-CLB